

**AGENDA**  
**OF THE**  
**METROPOLITAN PLANNING COMMISSION**

Date: October 16, 1997  
Time: 1:00 p.m.  
Place: Howard Auditorium

**Roll Call**

**Present:**

Gilbert N. Smith, Chairman  
Arnett Bodenhamer  
James Lawson  
William Manier  
Ann Nielson  
Marilyn Warren

**Absent:**

Mayor Philip Bredesen  
Councilmember Tim Garrett  
William Harbison  
Stephen Smith

**Others Present:**

**Executive Office:**

T. Jeff Browning, Executive Director  
Carolyn Perry, Secretary II

**Current Planning & Design Division:**

Ed Owens, Planning Division Manager  
Jennifer Regen, Planner III  
John Reid, Planner II  
Charles Hiehle, Planning Technician II

**Community Plans Division:**

Jerry Fawcett, Planning Division Manager  
Cynthia Lehmbeck, Planner III

**Others Present:**

Jim Armstrong, Public Works

Chairman Smith called the meeting to order.

**ADOPTION OF AGENDA**

Mr. Owens announced that Zone Change 97Z-097G should be changed so the caption would read as rezone to CS.

Ms. Nielson moved and Mr. Lawson seconded the motion, which unanimously passed, to approve the agenda with the change noted above.

#### **ANNOUNCEMENT OF DEFERRED ITEMS**

At the beginning of the meeting, staff listed the deferred items as follows:

97Z-099G	Deferred indefinitely, by applicant.
74-87-P	Deferred two weeks, by applicant.
97P-041U	Deferred indefinitely, by applicant.
97P-042G	Deferred indefinitely, by applicant.

Ms. Nielson moved and Mr. Lawson seconded the motion, which unanimously passed, to defer the items listed above.

#### **APPROVAL OF MINUTES**

Mr. Lawson moved and Ms. Nielson seconded the motion, which unanimously passed to approve the minutes of the regular meeting of October 2, 1997.

#### **RECOGNITION OF COUNCILMEMBERS**

No Councilmembers were present to address the Commission during this part of the meeting.

#### **ADOPTION OF CONSENT AGENDA**

Mr. Lawson moved and Ms. Nielson seconded the motion, which unanimously carried to approve the following items on the consent agenda:

#### **APPEAL CASES:**

**Appeal Case No. 97B-201U**  
Map 118-10, Parcel 150  
Subarea 10 (1994)  
District 17 (Douglas)

A request for a conditional use permit, under the provisions of Section 17.124.350 (Floodplain) as required under the provisions of Section 17.124.010, to construct a 1,448 square foot two-story addition and a 403 square foot covered deck at the rear of an existing house on property located within the Brown's Creek floodplain in the R10 District at 3403 Woodhaven Road (.26 acres), requested by Bernidette Glasgow, appellant for Kevin L. Glasgow, owner.

#### **Resolution No. 97-846**

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 97B-201U to the Board of Zoning Appeals:

**The site plan complies with the conditional use criteria (6-0)."**

**Appeal Case No. 97B-202G**

Map 74, Parcel 45

Subarea 4 (1993)

District 9 (Dillard)

A request for a conditional use permit, under the provisions of Section 17.124.350 (Floodplain) as required under the provisions of Section 17.124.010, to construct a 2,409 square foot single-family residence with garage and a 2,592 square foot barn on property located within the Cumberland River floodplain in the RS2a District at 119 Menees Lane (72.47 acres), requested by Robert Rennie, appellant for North Family Trust of 400 Court Square Building, owner.

**Resolution No. 97-847**

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 97B-202G to the Board of Zoning Appeals:

**The site plan complies with the conditional use criteria (6-0).**

**Appeal Case No. 97B-205U**

Map 70-1, Parcel 25

Subarea 3 (1992)

District 2 (Black)

A request for a conditional use permit, under the provisions of Section 17.124.350 (Floodplain) as required under the provisions of Section 17.124.010, to construct a 294 square foot addition to an existing house, on property located within the White's Creek floodplain in the R10 District at 3224 West Hamilton Avenue (.44 acres), requested by Olivia T. Brown, owner.

**Resolution No. 97-848**

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 97B-205U to the Board of Zoning Appeals:

**The site plan complies with the conditional use criteria (6-0)."**

**Appeal Case No. 97B-208G**

Map 40, Parcel 66 (29.29 acres)

Map 40, Parcel 67 (19.09 acres)

Map 40, Parcel 63 (27.91 acres)

Subarea 3 (1992)

District 3 (Nollner)

A request for a conditional use permit under the provisions of Section 17.124.190 (Intermediate Impact) as required by Section 17.124.030 to erect a 1,280 foot tall multi-use tower, including two transmitter buildings within the R20 District, on property located at Route 1 Old Hickory Boulevard abutting the west

margin of Interstate 24 (76.29 acres), requested by Littlejohn Engineering, Inc., appellant, for Hickory Hills LTD, owner.

**Resolution No. 97-849**

"BE IT RESOLVED that the Metropolitan Planning Commission offers the following recommendation for Appeal Case No. 97B-208G to the Board of Zoning Appeals:

**The site plan complies with the conditional use criteria (6-0)."**

**ZONE CHANGE PROPOSALS:**

**Zone Change Proposal No. 97Z-095U**

Map 84-15, Parcel 163 (1.15 acres)  
Map 84-15, Parcel 164 (0.80 acres)  
Map 95-3, Parcel 17 (0.64 acres)  
Subarea 14 (1996)  
District 15 (Dale)

A request to change from R10 and OP to CL District certain property located at 117, 119, and 121 Fairway Drive, approximately 300 feet north of Lebanon Pike (2.59 acres), requested by Robert E. Baker, appellant, for Robert E. Baker et ux et al, Robert E. Baker, Jr., Sherry C. Baker and HJL, LP, owners.

**Resolution No. 97-850**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-095U is **APPROVED (6-0)**:

**These properties fall within an area of Commercial Arterial Existing (CAE) policy around the Fairway/Lebanon Pike and McGavock/Lebanon Pike intersections. The proposed CL District is consistent with the surrounding commercial, retail and office uses and implements the CAE policy."**

**Zone Change Proposal No. 97Z-096G**

Map 173, Parcel 181 (2.86 acres)  
Subarea 12 (1997)  
District 31 (Alexander)

A request to change from AR2a to RS10 District certain property located at 14714 Old Hickory Boulevard, on the north margin of Old Hickory Boulevard (2.86 acres), requested by Eric S. Marcuse, appellant, for Eric S. and Tracy L. Marcuse, owners.

**Resolution No. 97-851**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-096G is **APPROVED (6-0)**:

**This property falls within an area of Residential Low Medium (RLM) policy calling for densities of 1 to 4 dwelling units per acre. The Subarea 12 Plan identifies this specific area along Old Hickory Boulevard (south of Bell Road) at the high end of this density range - 4 dwelling units per acre. The proposed RS10 District is consistent with this policy."**

**PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:**

**Proposal No. 155-74-G**

Larchwood PUD  
Map 97-13, Parcel 34  
Subarea 14 (1996)  
District 14 (Stanley)

A request to revise the approved preliminary site development plan of the Commercial (General) Planned Unit Development District, located between Percy Priest Drive and Blackwood Drive, 200 feet west of Stewarts Ferry Pike, (41.01 acres), to permit the development of 316,475 square feet of general retail, restaurant and hotel uses, requested by Nashville Land Fund, Ltd., appellant/owner. (Deferred from meeting of 10/2/97). (Also requesting final plat approval).

**Resolution No. 97-852**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 155-74-G is given **CONDITIONAL PRELIMINARY PUD APPROVAL, FINAL PLAT APPROVAL SUBJECT TO A BOND IN THE AMOUNT OF \$22,000.00 (6-0)**. The following conditions apply:

1. Written confirmation of preliminary approval from the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. The recording of the final subdivision plat upon the posting of a bond in the amount of \$22,000 for all road improvements as required by the Metropolitan Department of Public Works and all water and sewer line extensions as required by the Metropolitan Department of Water Services.”

**Proposal No. 103-79-G**

Riverfront Shopping Center  
Map 44, Part of Parcel 29  
Subarea 14 (1996)  
District 11 (Wooden)

A request to revise a portion of the approved preliminary site development plan and for final approval for a portion of the Commercial (General) Planned Unit Development District abutting the southwest margin of State Route 45, opposite Martingale Drive (3 acres), to permit the final development of an 8,000 square foot retail building, requested by Waste Water Engineers, Inc. (preliminary) and The Roberts Group (final), for Riverfront Limited Partnership, owner. (Also requesting final plat approval).

**Resolution No. 97-853**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 103-79-G is given **CONDITIONAL PRELIMINARY APPROVAL, CONDITIONAL FINAL APPROVAL FOR A PORTION; FINAL PLAT APPROVAL (6-0)**. The following conditions apply:

1. Written confirmation of preliminary and final approval from the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. The recording of the final subdivision plat.
3. The developer shall guarantee the pro-rate share of the traffic signal which is incurred by this approval. The developer will secure the pro-rata contribution in a manner acceptable to the Metropolitan Government. Subsequent phases shall also make pro-rata contributions to the signal fund until the scope of development results in a warrant for signal installation, according to the Metropolitan Traffic Engineer.”

**Proposal No. 46-83-U**

Metropolitan Airport Center  
Map 108-1, Parcel 83  
Subarea 14 (1996)  
District 14 (Stanley)

A request to revise the preliminary master plan and for final approval for a portion of the Commercial (General) Planned Unit Development District abutting the south margin of Elm Hill Pike and the east margin of Donelson Pike (4.3 acres), classified CG, to permit the final development of a 29,100 square foot office building, requested by Waste Water Engineers, Inc., for Metropolitan Airport Center, LTD., owner. (Also requesting final plat approval).

**Resolution No. 97-854**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 46-83-U is given **CONDITIONAL PRELIMINARY APPROVAL, CONDITIONAL FINAL APPROVAL FOR A PORTION; FINAL PLAT APPROVAL (6-0)**. The following conditions apply:

1. Written confirmation of preliminary and final approval from the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. The recording of the final subdivision plat.”

**Proposal No. 60-85-P**  
Pinnacle Point, Phase V  
Map 135-14A, Parcel 270  
Subarea 13 (1996)  
District 27 (Sontany)

A request for final approval for a phase of the Residential Planned Unit Development District abutting the north margin of Piccadilly Way and the western terminus of Rocky Mountain Parkway, classified R15, (19.97 acres), to permit the development of 77 single-family lots, requested by Ragan-Smith Associates, for Chickering Development Company, owner. (Also requesting final plat approval).

**Resolution No. 97-855**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 60-85-P is given **CONDITIONAL FINAL APPROVAL FOR A PHASE; FINAL PLAT APPROVAL SUBJECT TO A BOND IN THE AMOUNT OF \$249,250.00 (6-0)**. The following conditions apply:

1. Written confirmation of final approval from the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. The recording of the final subdivision plat upon the posting of a bond in the amount of \$249,250 for all road improvements as required by the Metropolitan Department of Public Works and all water and sewer line extensions as required by the Metropolitan Department of Water Services.”

**Proposal No. 84-87-P**  
Garden Ridge (Crossings PUD)  
Map 163, Part of Parcels 345 and 346  
Subarea 13 (1996)  
District 28 (Hall)

A request for final approval for a portion of the Commercial (General) Planned Unit Development District abutting the south margin of Crossings Boulevard and the north margin of Interstate 24 (11.68 acres), classified R10, to permit the development of a 122,400 square foot general retail sales facility, requested by

Littlejohn Engineering Associates, Inc., for Hickory Downs Development, Inc., a Delaware Corporation, owner. (Also requesting final plat approval).

**Resolution No. 97-856**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 84-87-P is given **CONDITIONAL FINAL APPROVAL FOR A PORTION, FINAL PLAT APPROVAL (6-0)**. The following conditions apply:

1. Written confirmation of final approval from the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. The recording of the final subdivision plat.”

**Proposal No. 90P-020G**  
Heron Walk, Phase II  
Map 52-8, Parcels 22 and 196  
Subarea 4 (1993)  
District 9 (Dillard)

A request for final approval for Phase II of the Residential Planned Unit Development District abutting the south margin of Cheyenne Boulevard, approximately 1,000 feet north of Canton Pass (17.80 acres), classified R10, to permit the development of 93 single-family lots, requested by MEC, Inc., for Allen Earps, owner.

**Resolution No. 97-857**

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 90P-020G is given **CONDITIONAL FINAL APPROVAL FOR A PHASE (6-0)**. The following conditions apply:

1. Written confirmation of final approval from the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. The recording of a final subdivision plat upon the posting of a bond for all road improvements as required by the Metropolitan Department of Public Works and all water and sewer line extensions as required by the Metropolitan Department of Water Services.”

**SUBDIVISIONS:**

**Final Plats:**

**Subdivision No. 96S-204U**  
Smith Subdivision, Resubdivision of Lot 1 (Revision)  
Map 96-9, Parcels 222 and 223  
Subarea 14 (1996)  
District 14 (Stanley)

A request to reconfigure two lots abutting the northeast corner of Emery Drive and Donelson Pike (3.17 acres), classified within the CS District, requested by Suma Srinivas, owner/developer, John D. McCormick, surveyor.

**Resolution No. 97-858**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 96S-204U, is granted **APPROVAL SUBJECT TO POSTING A PERFORMANCE BOND IN THE AMOUNT OF \$17,500 00 (6-0).**”

**Subdivision No. 97S-374U**  
Pepper Ridge, Phase 10  
Map 149, Parcel 298  
Subarea 13 (1996)  
District 28 (Hall)

A request to create four lots abutting the northwest corner of Billingsgate Road and Una-Antioch Pike (1.64 acres), classified within the R10 Residential Planned Unit Development District, requested by York Construction, LLC, owner/developer, Dale and Associates, surveyor.

**Resolution No. 97-859**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-374U, is granted **APPROVAL SUBJECT TO POSTING A PERFORMANCE BOND IN THE AMOUNT OF \$46,000.00 (6-0).**”

**Subdivision No. 97S-376G**  
Cedar Bluff, Phase 2B  
Map 34, Parcel 49  
Subarea 4 (1993)  
District 3 (Nollner)

A request to create 19 lots abutting both margins of Monticello Avenue, opposite Graycroft Avenue (6.7 acres), classified within the R10 District, requested by J. S. Earhart Plumbing Company, Inc., owner/developer, Daniels and Associates, Inc., surveyor.

**Resolution No. 97-860**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-376G, is granted **APPROVAL SUBJECT TO POSTING A PERFORMANCE BOND IN THE AMOUNT OF \$10,000.00 (6-0).**”

**Subdivision Nos. 97S-380U and 97S-381U**  
Aberdeen Woods, Phase 1, Sections 2 and 3  
Map 161, Part of Parcel 2  
Subarea 12 (1997)  
District 32 (Jenkins)

A request to create 31 lots (19 lots in Section 2 and 12 lots in Section 3) abutting the southwest margin of Oakley Drive, approximately 130 feet southeast of Cochran Drive (11.76 acres), classified within the R15 Residential Planned Unit Development District, requested by Zaring Homes, Inc., owner/developer, Gresham, Smith and Partners, surveyor.

**Resolution No. 97-861**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision Nos. 97S-380U and 97S-381U, is granted **APPROVAL OF SECTION 2 SUBJECT TO POSTING A PERFORMANCE BOND IN THE AMOUNT OF \$179,850.00 (6-0).**”

**Subdivision No. 97S-384U**



Brownstone, Section 1  
Map 171, Parcels 94, 120, 121 and 139  
Subarea 12 (1997)  
District 32 (Jenkins)

A request to create 43 lots abutting the north margin of Cloverland Drive, opposite Cottonport Drive (21.79 acres), classified within the R40 Residential Planned Unit Development District, requested by Radnor Development Corporation, owner/developer, Anderson-Delk and Associates, Inc., surveyor.

**Resolution No. 97-862**

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-384U, is granted **APPROVAL SUBJECT TO POSTING A PERFORMANCE BOND IN THE AMOUNT OF \$701,000.00 (6-0).**”

**Subdivision No. 97S-385U**  
Dr. Teresa Brockman Property Subdivision  
Map 91-13, Parcels 319-323  
Subarea 7 (1994)  
District 24 (Johns)

A request to consolidate five lots into three lots abutting the southwest corner of Charlotte Pike and Balmy Avenue (.90 acres), classified within the CS District, requested by Dr. Teresa Brockman, owner/developer, Bruce Rainey and Associates, surveyor.

**Resolution No. 97-863**

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-385U, is granted **APPROVAL (6-0).**”

**Subdivision No. 97S-390U**  
Britt Place (Right-of-Way Dedication)  
Map 92-7  
Subarea 8 (1995)  
District 21 (McCallister)

A request to dedicate a street located between 19th Avenue North and 21st Avenue North, approximately 145 feet south of Herman Street, classified within the RM8, CSL and OP Districts, requested by Metropolitan Development and Housing Agency, owner/developer, Crawford Land Surveyors, surveyor.

**Resolution No. 97-864**

“**BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-390U, is granted **APPROVAL (6-0).**”

**Request for Bond Extension:**

**Subdivision No. 96S-393U**  
Metro Airport Center, Phase Five, Section Two  
Metropolitan Airport Center, Ltd., principal

Located abutting the southeast terminus of Royal Parkway, approximately 481 feet southeast of Airport Center Drive.

**Resolution No. 97-865**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 96S-393U, Bond No. 97BD-025, Metro Airport Center, Phase 5, Section 2, in the amount of \$115,500 to 8/1/98 subject to submittal of an amendment to the present Letter of Credit by **11/16/97** which extends its expiration date to 2/1/99. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Request for Bond Release:**

**Subdivision No. 151-82-G**  
Somerset Farms, Section 4, Phase 1  
Somerset Farms, Joint Venture, principal

Located abutting both margins of Somerset Farms Drive and both margins of Roslyn Court.

**Resolution No. 97-866**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 151-82-G, Bond No. 95BD-084, Somerset Farms, Section 4, Phase 1 in the amount of \$20,000."

**Subdivision No. 88P-038G**  
Long Hunter Chase, Phase One, Section One  
Barry Construction Company, Inc., principal

Located abutting the southeast margin of Mt. View Road and the northwest margin of Hobson Pike.

**Resolution No. 97-867**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 88P-038G, Bond No. 88BD-026, Long Hunter, Phase 1, Section 1 in the amount of \$134,000."

**Subdivision No. 93P-011G**  
Holt Woods, Section Eight  
Hurley-Y, L.P., principal

Located abutting both margins of Cobble Street, approximately 100 feet northeast of Crosswind Drive.

**Resolution No. 97-868**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 93P-011G, Bond No. 95BD-070, Holt Woods, Section 8 in the amount of \$35,000."

**Subdivision No. 93P-016G**  
Traceside, Section 3  
Centex Real Estate Corporation, principal

Located abutting both margins of Traceway Drive, approximately 100 feet northeast of Traceside Drive.

**Resolution No. 97-869**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 93P-016G, Bond No. 94BD-074, Traceside, Section 3 in the amount of \$202,000."

**Subdivision No. 93P-016G**

Traceside, Section 4

Centex Real Estate Corporation, principal

Located abutting the south margin of Deer Estates Drive and both margins of Deerbrook Drive.

**Resolution No. 97-870**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 93P-016G, Bond No. 95BD-107, Traceside, Section 4 in the amount of \$70,000."

**Subdivision No. 93P-021G**

Holt Woods, Section Nine

Hurley-Y, L.P., principal

Located abutting both margins of October Street, approximately 80 feet west of Holt Hills Road.

**Resolution No. 97-871**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for release of a performance bond for Subdivision No. 93P-021G, Bond No. 95BD-080, Holt Woods, Section 9 in the amount of \$56,500."

**MANDATORY REFERRALS:**

**Proposal No. 97M-111U**

Fourth and Broadway Encroachments

Map 93-6-4, Parcel 15

Subarea 9 (1991)

District 19 (Sloss)

A mandatory referral from the Department of Public Works proposing the installation of a door, a door stoop and two signs which will encroach into the public rights-of-way of Broadway and Fourth Avenue South at 327 Broadway for Seanachie Irish Pub and Restaurant, requested by Michael Doherty for Celtic Pub Company, Inc., proprietor, Jennie Morris and Aaron Morris, owners.

**Resolution No. 97-872**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (6-0)** Proposal No. 97M-111U.

**Proposal No. 97M-112U**

Ben Allen Road/Saunders Court Name Change

Map 61-14

Subarea 5 (1994)

District 4 (Majors)

A mandatory referral from the Department of Public Works proposing to change the name of Ben Allen Road east and west of its intersection with Saunders Avenue to "Saunders Court."

**Resolution No. 97-873**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (6-0)** Proposal No. 97M-112U.

**Proposal No. 97M-114U**

Alley 120 Closure

Map 93-10

Subarea 9 (1991)

District 19 (Sloss)

A mandatory referral from the Department of Public Works proposing the closure of Alley 120 between Palmer Place and the CSX Railroad right-of-way, requested by Councilmember Julius Sloss. (Easements are to be retained).

**Resolution No. 97-874**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (6-0)** Proposal No. 97M-114U.

**Proposal No. 97M-115U**

Substitute Council Bill No. SO97-931

Louisiana Avenue Closure

Map 91-6

Subarea 7 (1994)

District 22 (Holt)

A council bill proposing to close Louisiana Avenue between 57th Avenue North and 58th Avenue North. (Easements are to be retained).

**Resolution No. 97-875**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **APPROVES (6-0)** Proposal No. 97M-115U.

**OTHER BUSINESS:**

4. **Capital Budget Amendment 97CB008:**

A request to amend the 1997-98 to 2002-2003 Capital Improvements Budget and Program to add funds to the following project:

I.D. No. 94PR020

Warner Parks Nature Center Master Plan - Development

From:

\$200,000          Approved G. O. Bonds      FY 1997-98

To:

\$200,000          Approved G. O. Bonds      FY 1997-98

\$500,000          Proposed G.O. Bonds          FY 1997-98

**Resolution No. 97-876**

“BE IT RESOLVED by the Metropolitan Planning Commission that it approves Capital Budget Amendment 97CB008 as follows:

I.D. No. 94PR020

Warner Parks Nature Center Master Plan - Development

From:

\$200,000          Approved G. O. Bonds      FY 1997-98

To:

\$200,000          Approved G. O. Bonds      FY 1997-98

\$500,000          Proposed G.O. Bonds          FY 1997-98”

This concluded the items on the consent agenda.

**ZONE CHANGE PROPOSALS:**

**Zone Change Proposal No. 97Z-097G**

Map 86, Parcel 18 (9.55 acres)

Map 86, Parcel 20 (10.03 acres)

Map 86, Part of Parcel 309 (3.01 acres)

Subarea 14 (1996)

District 12 (Ponder)

A request to change from R10 and CG to CS District certain property located at 5289 Old Hickory Boulevard abutting Cortez Court, Old Lebanon Dirt Road and the north margin of Nashville & Eastern Railroad (22.59 acres), requested by Donald G. Chambers, appellant, for Lojac Enterprises, Inc., and Jeffrey A. Smith, owners.

**Proposal No. 89P-026G    (*Public Hearing*)**

Hermitage Center

Map 86, Part of Parcels 18 and 20

Subarea 14 (1996)

District 12 (Ponder)

A request to cancel the unbuilt Commercial (General) Planned Unit Development District abutting the west margin of Old Hickory Boulevard, approximately 250 feet north of the Nashville & Eastern Railroad (10.03 acres), classified R10 and proposed for CS, requested by Lojac Enterprises, Inc., applicant/owner.

Ms. Regen described the area surrounding the site and stated staff is recommending approval of this rezoning request to CS and the PUD cancellation. Staff finds that the CS zoning is consistent with the commercial policy of the Subarea 14 Plan. There is already existing zoning on this property which would allow the applicant to develop it commercially. Even though it is different zoning and going to a more intense use on the property, the subarea plan recognizes a commercial use would be a more compatible land use with the adjacent quarry operation.

Eventual development of the property may call for relocation of Stoner's Creek and removal of trees. However, those issues are not before the Commission at this time. Tree removal must be authorized under the terms of the tree ordinance administered by the Metro Department of codes under either the existing or the requested zoning. The stream relocation must follow state and federal requirements under either existing or proposed zoning.

Councilmember Phil Ponder stated he was neither for or against this proposal nor was he currently sponsoring any legislation. He stated he had met with the representatives of Lojac, the owners of the property, and they shared their vision of the plans for the property. He stated Lojac was going about this proposal the right way and applauded them in their efforts to work with any agencies regarding environmental questions.

Mr. Donald Chambers, president of Lojac, stated Lojac owned 86 acres around this site and that they were selling 26 acres and that they were also going to remain on site and would be permanent neighbors.

Mr. Keith Morris, Director of Community Affairs for Walmart Stores, stated they had intentions to develop a Walmart Super Center on this 26 acre parcel. There are some environmental conditions associated with this development and they are investigating those issues currently and are willing to work with all regulation agencies.

Mr. Bruce Wood, president of Bring Urban Recycling to Nashville Today, expressed concerns regarding the relocation of Stoner's Creek and requested the Commission to defer this changed until after state approval.

Mr. Lawson moved and Mr. Bodenhamer seconded the motion, which carried unanimously, to close the public hearing and approve the following resolution:

**Resolution No. 97-877**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-097G is **APPROVED (6-0)**:

**This property falls within Commercial Arterial Existing (CAE) policy along Old Hickory Boulevard within the Subarea 14 Plan. Given the property's location next to a major arterial and its surrounding land uses (i.e. Vulcan Material Company quarry, asphalt and cement batch plant and the Nashville and Eastern Railroad), rezoning this property for commercial use is appropriate."**

"BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Proposal No. 89P-026G is given **APPROVAL (6-0)**."

**Zone Change Proposal No. 97Z-098U**

Map 95-11, Parcel 190 (3.0 acres)

Subarea 14 (1996)

District 15 (Dale)

A request to change from RS10 to OR20 District certain property located at 608 McGavock Pike, abutting the west margin of McGavock Pike, approximately 150 feet south of Woodberry Drive (3.0 acres), requested by Tarun Surti, appellant and trustee.

Ms. Regen stated the Commission had disapproved this same request by the same applicant several months ago. She stated staff was recommending disapproval. This property is surrounded by residential uses and rezoning the property to an office district would be encroaching too far into the existing residential district. In 1990 a mass rezoning was done to preserve the residential zoning as RS10. There is a topographical

feature that serves as a boundary between the commercial policy along Elm Hill Pike and the residential policy to the north.

Mr. Tarun Surti stated there is commercial property to the right and high voltage TVA power lines to the left. This property would not be good for residential development and asked the Commission to approve the change.

Ms. Nielson moved and Ms. Warren seconded the motion, which carried unanimously, to approve the following resolution:

**Resolution No. 97-878**

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 97Z-098U is **DISAPPROVED (6-0)**:

**This request was disapproved by the Planning Commission last November. The Commission reconfirmed that this request extends commercial zoning too far into the surrounding residential neighborhood. The intent of the Subarea 14 Plan is to conserve this residential area and to focus commercial and office uses around the McGavock Pike/Old Elm Hill Pike intersection. The Commission again determined that a steep topographical boundary separates the existing CS zoning (along Elm Hill Pike) from the residential area north on McGavock Pike."**

**PLANNED UNIT DEVELOPMENT OVERLAY DISTRICTS:**

**Proposal No. 94-79-G**  
Hickory Woods Estates  
Map 176-5-B, Parcel 166  
Subarea 13 (1997)  
District 29 (Holloway)

A request to revise the approved preliminary master plan of the Residential Planned Unit Development District abutting the south margin of Hickory Woods Drive, approximately 600 feet northeast of Murfreesboro Road (12.48 acres), classified R20, to permit the development of 39 single-family lots in place of a 170 unit multi-family facility, requested by Wamble and Associates, PLLC, for Taylor Duncan Interests, owner. (Deferred from meeting of 10/2/97).

Mr. Owens stated this property is being revised from apartments to 39 single family lots. Two variances are required. Staff feels both variances are warranted and is recommending approval. One variance is for the off-set of intersections. Mr. Owens stated the subdivision regulations require 300 feet of separation between street intersections. He stated it was not possible to achieve this separation between the proposed street into this property and existing public streets on either side of the development. Mr. Owens stated the development is being reduced from 170 apartments to 39 single family lots. Therefore, there should be less traffic impacting this intersection.

The second variance involves the length of the cul-de-sac which is slightly over 1,000 feet. This property is bounded by the Hurricane Creek floodplain and it is not physically possible to have a second outlet.

Mr. Lawson moved and Mr. Manier seconded the motion, which carried unanimously, to approve the following resolution:

**Resolution No. 97-879**

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 94-79-G is given **CONDITIONAL APPROVAL OF REVISION TO PRELIMINARY WITH A VARIANCE TO THE**

**SUBDIVISION REGULATIONS FOR INTERSECTION SEPARATION AND MAXIMUM CUL-DE-SAC STREET LENGTH (6-0).** The following condition applies:

Written confirmation of preliminary approval from the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.”

**SUBDIVISIONS:**

**Preliminary Plats:**

**Subdivision No. 97S-296U (Public Hearing)**

Wilding Subdivision

Map 115-9, Parcels 59, 60 and 61

Map 115-14, Parcel 77

Subarea 7 (1994)

District 23 (Crafton)

A request for preliminary approval for four lots by reconfiguring three platted lots and one deeded parcel abutting the southwest margin of Duquaine Court, approximately 540 feet south of Pennywell Drive (21.91 acres), classified within the RS40 District, requested by Ben J. Odom, owner/developer, Gaylon Northcutt, surveyor.

Mr. Owens stated there are three platted lots around a cul-de-sac with a large 20 acre plus deep tract. The applicant is proposing to enlarge two of the platted lots, both of which already contain homes, and resubdivide the third platted lot with the large acreage parcel to create two buildable lots. Staff has looked at the topography in this area and are comfortable that there are buildable envelopes on both of the proposed lots. Staff is recommending approval with the condition that the two large lots are designated as critical lots.

Mr. Ted Rutledge, Mr. Douglas Lee and Mr. Bob Safrey expressed concerns regarding further subdivision, land slides, preservation of the neighborhood and drainage. All were seeking assurance that this would end the development of lots and building sites in this area.

Mr. Owens stated that it did not appear to staff there were any further subdivision opportunities off of Ducquaine Court, because each lot would have to have at least 35 feet of street frontage.

Mr. Ben Odom, developer, stated there was only one building place on the lot to the left and that was at the top of the hill. The steepness of the slope will not allow building anywhere else. On the other site, there is only approximately 100 by 250 feet that is level and it is also covered with trees and adjoining land is too steep to build a road on for further subdivision.

Mr. Browning stated that by platting this property into single family lots it basically precludes further development except through a resubdivision process, which is extremely unlikely.

Mr. Bodenhamer moved and Mr. Lawson seconded the motion, which carried unanimously, to close the public hearing and approve the following resolution:

**Resolution No. 97-880**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-296U,. is granted **APPROVAL SUBJECT TO LOTS 1 AND 2 BEING DESIGNATED AS CRITICAL LOTS (6-0).**”

**Subdivision No. 97S-382G (Public Hearing)**



Willow Village  
Map 33, Parcel 72  
Subarea 2 (1995)  
District 10 (Garrett)

A request for preliminary approval for 18 lots between Dickerson Pike and Old Dickerson Pike, approximately 321 feet south of Campbell Road (9.57 acres), classified within the R20 District, requested by Richard C. Binkley, owner/developer, L. Steven Bridges, Jr., surveyor.

Mr. Owens stated some members of the Commission may remember that a few years there was an effort made to rezone this property from residential to light industrial for a metal fabricator. The subarea plan recognized there was a lot of under utilized commercial zoning out along Dickerson Pike and the plan is encouraging redevelopment or new development with residential land uses, and that is exactly what this proposal is.

The proposal is a straight forward residential subdivision bringing a short cul-de-sac street off of Dickerson Pike. There are 18 half acre lots in this subdivision and staff is recommending approval.

Mr. Sam Vogel, an area resident, stated there was a sign put on this property two months ago that said, "Coming Soon, Low Rent Housing, Duplexes, Thanks Tim Garrett our Councilman". He stated he and his neighbors were very aggravated by the sign and very concerned with the type housing that may go into this development because the rest of that area is so deteriorated. The area needs to be upgraded with good homes and not downgraded.

Mr. Owens stated this property was zoned R20 and allowed either single family or duplexes on a lot that is at least a half acre in size. The government cannot regulate the size or quality of the house nor whether it is owned or rented.

Mr. Steve Axley, land surveyor, stated the developer's intent was to build single family homes consistent with the area but that he could not promise there would be no duplexes.

Ms. Nielson moved and Mr. Lawson seconded the motion, which carried unanimously, to close the public hearing and approve the following resolution:

**Resolution No. 97-881**

**"BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-382G, is granted **APPROVAL (6-0).**"

**Final Plats:**

**Subdivision No. 97S-196U**  
McPheeter's Subdivision  
Map 130-8, Parcels 133 and 134  
Subarea 10 (1994)  
District 34 (Fentress)

A request to create four lots abutting the south margin of Trimble Road, approximately 240 feet west of Lindawood Drive (2.17 acres), classified within the R20 District, requested by Allen C. Brown, owner/developer, Wamble and Associates, surveyor.

Mr. Owens stated the concern expressed by neighbors during the preliminary approval review was drainage. There are two existing lots and a short cul-de-sac street will serve two additional lots. The natural flow of drainage comes from the east and heads down toward the north margin of Charleston Place. When

Wellington Park was developed and re-graded a man made drain was created along the common property lines. There is a high point in the drainage system which causes some of the drainage to leave its channel and to follow its natural course through the Wellington Park development. The new subdivision suggests the incorporation of a detention pond at the rear of the property to at least capture water coming off the street and from the development itself. Public Works has stated there is a preexisting drainage problem in the area and this development, with its detention pond, will not create any additional problems in the area. Staff is recommending approval.

Mr. Mickey Martin, a resident of Wellington Park, expressed concerns regarding drainage, resale value of area homes, mosquitoes, snakes and safety. He stated there had been water damage to area homes and that if a detention pond was installed and the water has no place to go, there could be a possibility of worsening the problem. What the neighbors are asking is for Public Works to come in and fix the problem that should have been fixed years ago and not let another development come in without fixing the pre-existing problem. The developer at Wellington Park did not do justification on rerouting the water. There is a massive water problem and the neighborhood does not feel the retention pond is the answer.

Mr. Jim Armstrong, with Public Works, stated they had looked at the problem and the concerns were valid and there is a drainage problem. This proposal, as it progresses, will help at least two of the three impacted lots with their drainage.

Chairman Smith asked how the problem started to begin with.

Mr. Armstrong stated there were problems with the original design of the development because the drainage system conflicted with the sanitary sewer lines. The sanitary sewer lines prevented deepening the storm drainage system to the depths required for adequate runoff.

Chairman Smith voiced concern that Metro would allow a developer to construct a drainage system that was inconsistent with approved plans, and further voiced concern that Metro would release a performance bond being held for that system.

Ms. Warren stated that Metro or someone should go in and fix this problem and asked that if the Commission approves this proposal with the improvement to two of the three lots would it delay the process of fixing the problem.

Mr. Armstrong stated it would not drop in priority because it has had the same problem since its creation.

Ms. Nielson stated her problem was that the original proposal was approved and accepted by the city and it was verified the water would have a place to go and this new developer should not have to fix a problem the city allowed to develop.

Mr. Bodenhamer stated he felt like this project would compound the problem and he could not vote for it until the original problem is corrected.

Chairman Smith stated he was in favor of the new project because it would not contribute to the problem but it would help it.

Mr. Manier asked if Metro had the right of action in a situation where someone put development in and then violated the required improvements. It seems that not only do the property owners have the right of action against that developer but if he still exists and is financially solvent, it seems Metro could also sue him.

Ms. Warren stated she had a problem with holding up a development that would be fine if it were not for somebody else's problem before them.

Ms. Warren moved and Mr. Lawson seconded the motion, which carried with Mr. Bodenhamer in opposition, to approve the following resolution:

**Resolution No. 97-882**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-196U, is granted **APPROVAL SUBJECT TO POSTING A PERFORMANCE BOND IN THE AMOUNT OF \$69,500.00 (5-1).”**

**Subdivision No. 97S-372G**

Maryland Farms, Section 1, Resubdivision of Lot 1  
Map 170, Parcel 3  
Subarea 10 (1994)  
District 33 (Turner)

A request to subdivide one lot into two lots abutting the southwest corner of Old Hickory Boulevard and Brentwood Boulevard (10.23 acres), classified within the OP District, requested by Andrews Cadillac Company and NACA Partnership, owners/developers, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

Mr. Owens stated this subdivision lies in both Metro’s and Brentwood’s jurisdictions, and both Planning Commissions must approve the subdivision plat. There have been attempts made in recent years to create an additional driveway and/or street cut to Old Hickory Boulevard along the western portion of this property. Approximately six months to a year ago Public Works, the Traffic Engineer and the Traffic and Parking Commission denied a request to put a driveway ramp in that location. In review of this plat, staff focused on a note that was originally on the plat that endorsed another driveway cut. Staff asked that note be modified and it was. Staff is now recommending approval of the plat subject to a co-recording of the plat by the Brentwood jurisdiction.

Mr. Lawson moved and Ms. Nielson seconded the motion, which carried unanimously, to approve the following resolution:

**Resolution No. 97-883**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-372G, is granted **APPROVAL SUBJECT TO APPROVAL BY THE CITY OF BRENTWOOD (6-0).”**

**Subdivision No. 97S-373U**

George Burris Subdivision, Resubdivision of Lots 5 and 6  
Map 61-11, Parcel 180  
Subarea 5 (1994)  
District 8 (Hart)

A request to subdivide two lots into three lots located between Curdwood Boulevard and McIver Street, approximately 335 feet west of Gallatin Pike (.58 acres), classified within the R8 District, requested by Bill Dorris and Associates, developer, L. Steven Bridges, Jr., surveyor.

Mr. Owens stated this proposal divided an existing lot that has double frontage on McIver to the south and Curdwood to the north into 3 lots. This is a developed area; comparability was run and the subdivision failed. It failed in terms of required lot frontage along McIver. Staff does not feel that the comparability formula is providing a true picture in this situation. There is quite a disparity of lot sizes and shapes in this immediate area and staff is recommending approval of the proposal with waiver to the comparability formula.

Ms. Nielson moved and Mr. Manier seconded the motion, which unanimously carried, to approve the following resolution:

**Resolution No. 97-884**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-373U, is granted **APPROVAL WITH A WAIVER TO SECTION 2-4.7 OF THE SUBDIVISION REGULATIONS (6-0).”**

**Subdivision No. 97S-389U**

Briley Parkway Business Center, Section 2,  
Resubdivision of Lot 1  
Map 50-10-B, Parcel 1  
Map 50, Parcel 21  
Subarea 2 (1995)  
District 3 (Nollner)

A request to dedicate a public street abutting the south margin of Brick Church Lane and the west margin of Brick Church Pike (19.28 acres), classified within the CS and IR Planned Unit Development Districts, requested by John Nelley, owner/developer, Ragan-Smith Associates, Inc., surveyor.

Mr. Owens stated this was an unusual application in that it is a request to dedicate a public street. Public Works is recommending disapproval of this application and Planning Staff is recommending approval.

The street the Commission is dealing with is already built in an Industrial PUD that is under development. This Industrial PUD was originally approved in 1986. The preliminary plan showed a street in this location up to Brick Church Lane and then another cul-de-sac street going into the northern part of the PUD north of Brick Church Lane.

In 1988 the developer came fourth with construction plans to build this street. Those plans were reviewed and approved by Public Works according to the public street standards that were in effect in 1988. The developer started the street construction.

In late 1988 Public Works undertook a study to establish an accurate floodplain for a portion of Ewing Creek next to this property. The developer finished the street, Public Works inspected it and found it had been built according to the plans. Usually the developer would have offered the street for dedication at that time but he did not. Public Works eventually finished their flood study and found the flood elevation for this portion of Ewing Creek ended up being three feet higher than the finished elevation of the street that had been built.

In 1996 the developer revised the preliminary plan and came in for final PUD approval for lot 1 and at that time indicated he was ready to offer the street for dedication. Public Works indicated they would not accept this street because of its being below the 100 year flood level that has been established. At that time the developer opted to label the street on the plan as a private street so it would not delay final approval of the industrial building on lot 1. The developer has continued unsuccessfully to convince Public Works to accept this street. The applicant's recourse was to bring a plat to this Commission officially offering this street as a public street.

Staff is recommending approval of this proposal because this street was designed and approved by Public Works prior to construction as meeting street standards, it was constructed according to those plans, subsequently inspected by Public Works and found to have been built consistent with regulations except for the flood plain elevation. The extenuating circumstance is the fact the flood elevation was raised after the street was built.

Mr. Lawson moved and Ms. Nielson seconded the motion, which carried unanimously, to approve the following resolution:

**Resolution No. 97-885**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that Subdivision No. 97S-389U, is granted **APPROVAL (6-0).**”

**Request for Bond Extension:**

**Subdivision No. 93S-343G**  
McCrory Heights  
Buddy Dunn Contractors, principal

Located abutting the northeast margin of McCrory Lane and the west terminus of Greenvale Drive.  
(Deferred from meeting of 10/2/97).

Mr. Owens stated staff was recommending an extension of this bond. This a residential subdivision at 33% build out. Apparently the developer of this property has affected a downstream drainage channel and Public Works is addressing that problem and working with the state to get this developer to remedy the problems that have been created. The Commission has a bond directed at the proper construction of the development within the property itself and it is that bond that is up for extension. It is proper to extend that bond because they are only at 33% build out and staff is recommending extension of the bond.

Ms. Warren moved and Ms. Nielson seconded the motion, which carried unanimously, to approve the following resolution:

**Resolution No. 97-886**

"BE IT RESOLVED by the Metropolitan Planning Commission that it hereby **APPROVES** the request for extension of a performance bond for Subdivision No. 93S-343G, Bond No. 95BD-006, McCrory Heights, in the amount of \$112,183 to 8/1/98 subject to submittal of an amendment to the present Letter of Credit by **November 16, 1997** which extends its expiration date to 2/1/99. **Failure of principal to provide amended security documents shall be grounds for collection without further notification.**"

**Consideration of Bond Collection:**

**Subdivision No. 89P-019G**  
Allens Green, Section 2  
Zaring Homes, Inc., principal

Located abutting both margins of Harpeth Glen Trace and both margins of Timber Leaf Drive.

Mr. Owens stated staff was recommending a two week deferral on this proposal. This is a bond involving a residential subdivision in the Bellevue Area. There were earlier problems regarding sidewalks. The streets are finished and the sidewalks are finished. The problem is drainage in a few areas of the property. This Commission, back in June, refused to extend this bond because the streets and sidewalks were not completed and there were drainage problems. The drainage problems have not been resolved and these are drainage problems that also involve just the final grading around certain houses. Public Works is asking that the Commission not release this bond because they would like to get this problem worked out with the developer's cooperation.

Mr. Lawson moved and Ms. Nielson seconded the motion, which carried unanimously, to defer this matter for two weeks.

**MANDATORY REFERRALS:**

**Proposal No. 97M-116U**  
Retaining Wall Encroachment  
2001 Woodmont Boulevard  
Map 117-11, Parcel 28  
Subarea 10 (1994)  
District 25 (Kleinfelter)

A mandatory referral from the Department of Public Works proposing the installation of a nine foot high retaining wall which will extend 16 feet into the right-of-way of Benham Avenue at 2001 Woodmont Boulevard, requested by James Fentress for Sertoma Club of Nashville, adjacent property owner.

Ms. Regen stated Benham Avenue is unbuilt between Graybar Lane and Woodmont Boulevard. Staff is recommending disapproval on this request for encroachment. The request is seeking permission to locate a nine foot high retaining wall in the public right-of-way which would allow for a driveway and parking area to also encroach 16 feet into the public right-of-way for a distance of 335 feet.

The need for this encroachment is to level the driveway/parking area. The applicant is not proposing a closure of Benham Avenue because the adjacent property owner is opposed to a closure and his consent is required. The abutting property owner is opposed to the closure because of the possibility of future subdivision and he wants to retain access to Benham Avenue. Staff's reasons for recommending disapproval is that since the road cannot be closed there is the possibility of its being built in the future and placing a permanent physical structure in that right-of-way is inappropriate.

Mr. Manier moved and Mr. Lawson seconded the motion, which carried unanimously, to approve the following resolution:

**Resolution No. 97-887**

"BE IT RESOLVED by the Metropolitan Planning Commission that it **DISAPPROVES (6-0)** Proposal No. 97M-116U.

**The Planning Commission determined that it is not in the community's best interest to permit the construction of a permanent structure (in this case a retaining wall) within right-of-way dedicated for the eventual construction of a public street."**

**OTHER BUSINESS:**

1. Nations-Urbandale Neighborhood Annual Progress Report. (Deferred from meeting of 10/2/97).

Ms. Lehmbeck showed the Commission slides of the Nations-Urbandale Neighborhood and updated them on their progress.

2. Set the November 13<sup>th</sup> Planning Commission meeting for a public hearing presentation of the updated Subarea 9 Plan.

Mr. Lawson moved and Ms. Nielson seconded the motion, which unanimously carried to set the Subarea 9 Plan public hearing presentation for November 13, 1997.

3. Employee Contract for Chris Hall.

Ms. Nielson moved and Mr. Lawson seconded the motion, which carried unanimously, to approve the following resolution:

**Resolution No. 97-888**

“BE IT RESOLVED by the Metropolitan Planning Commission that it approves the employee contract for Chris Hall for one year, from September 16, 1997 to September 16, 1998.”

5. Legislative Update.

Mr. Owens discussed with the Commission how the new zoning ordinance would be phased in over the next two months.

**PLATS PROCESSED ADMINISTRATIVELY:**

October 2, 1997 through October 15, 1997

<b>96S-382G</b>	<b>CHASE CREEK, First Revision</b> Adds drainage easement
<b>97S-331U</b>	<b>PARTHENON CONDOMINIUMS</b> Creates horizontal property regime
<b>97S-378G</b>	<b>WELTON INVESTMENTS</b> Two lot consolidation
<b>97S-398G</b>	<b>FREDERICKSBURG, Section 6B, Lot 107</b> Minor lot line shift

**ADJOURNMENT:**

There being no further business, upon motion made, seconded and passed, the meeting adjourned at 3:30 p.m.

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Chairman

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Secretary

Minute Approval:  
This 30<sup>th</sup> day of October, 1997